



Federal Communications Commission  
Washington, D.C. 20554

**DA 05-2379**

August 30, 2005

Mr. Stanley Edinger  
Loral Skynet  
500 Hills Drive  
PO Box 7018  
Bedminster, NJ 07921-7018

Re: Call Sign: E980250  
File No.: SES-MOD-20050727-00991

Dear Mr. Edinger:

On July 27, 2005, Loral Skynet Network Services, Inc. (Debtor-in-Possession) (Loral Skynet) filed the above-captioned application to add, among other things, the Extended-C-Band<sup>1</sup> frequencies to its licensed earth station in Kapolei, Hawaii (E980250). This earth station is authorized to communicate with the Telstar 18 satellite, which is licensed by Tonga. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss this application as defective, without prejudice to refiling, due to internal inconsistencies.

In answering question 27 of the Main Form of Form 312, which relates to the purpose of the application, you indicate that the application is intended to add frequencies to an existing license. In Schedule B of your application you propose to add Destination Points to your existing license, as well. Your description of the application in response to question 43 of the main form, however, makes no mention of additional destination points. Based on these responses we are uncertain as to whether, and to what extent, you seek to add additional frequencies and destination points and therefore your application is defective.

Further, to the extent you seek to add Kazakhstan as a Destination Point, your application does not include an ECO-SAT analysis for Kazakhstan. Since the licensing administration of the Telstar 18 satellite is not a member of the World Trade Organization (WTO), an ECO-SAT analysis is required for all route markets that are not WTO members pursuant to Section 25.137(a)(1) and 25.137(a)(2) of the Commission's rules.<sup>2</sup> Since Kazakhstan is not a WTO member, in any refiling you must supply an

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<sup>1</sup> 6425-6650 MHz band.

<sup>2</sup> 47 C.F.R. §§ 25.137(a)(1) and 25.137(a)(2).

ECO-SAT analysis with respect to Kazakhstan before we could consider authorizing service to that country via Telstar 18.

Accordingly, pursuant to Section 25.112(a)(1)<sup>3</sup> of the Commission's rules, 47 C.F.R. § 25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss your application as defective without prejudice to refiling.

Sincerely,

Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>3</sup> 47 C.F.R. § 25.112(a)(1). *See also* Echostar Satellite LLC, *Order on Reconsideration*, DA 04-4056 (released December 27, 2004).